

-8-

REMARKS

Restriction to one of the following inventions is required by the Examiner pursuant to 35 U.S.C. §121:

- I. Claims 1-4, 6-9, 11, 15, 16, 35, 36, 37, 43-54 drawn to a semiconductor bridge igniter; and
 - II. Claims 40-42 and 55-58, drawn to a method of initiating an igniter.
- In response thereto, the Applicant hereby elects invention I.

Restriction is further required among the following identified species of semiconductor bridge igniters:

Species A: a semiconductor bridge igniter having a metal of layer [sic] comprising titanium;

Species B: a semiconductor bridge igniter having a metal of layer [sic] consisting of titanium;

Species C: a semiconductor bridge igniter with the bridge section consisting of a layer of semiconductor material and a layer of titanium disposed on the semiconductor material; and

Species D: a semiconductor bridge igniter with the pad sections and the bridge section each consisting of a layer of semiconductor material on the substrate and a layer of titanium disposed on the semiconductor material.

The Examiner asserts that no claim is generic to all of the identified species. The Applicant hereby provisionally elects species C, on which claim 53 is readable.

The stated requirement for restriction among Species A, B, C and D is respectfully traversed on two grounds.

First, the Examiner has not mentioned the particular limitations in the claims and the reasons why such limitations are considered to support restriction to a particular species to make the requirement clear, pursuant to MPEP §814. However,

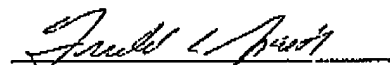
-9-

the correspondence of the definition of Species C with the language of claim 53 is noted by the Applicant. If the Examiner agrees that the election of Species C will allow for examination of claim 53, this ground of traversal is withdrawn. If Species C is not deemed to encompass claim 53, the Applicant respectfully requests a telephone interview with the Examiner to clarify the restriction requirement prior to entry of any election and any further action on the application.

Second, claims 1, 36, 53 and 54 all define the same essential characteristic (the constitution of the bridge structure of the igniter) of a single disclosed embodiment. In such case, restriction is improper. See MPEP §806.03. Claims that are limitable to patentably distinct species must not overlap in scope; they must be mutually exclusive. See MPEP §806.04(f). In this case, claims 1, 36, 53 and 54 all read on the same illustrated embodiment and so overlap in scope and are not mutually exclusive.

Reconsideration of the restriction requirement and further examination is respectfully requested.

Respectfully submitted


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